

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW MEXICO**

In re LAS UVAS VALLEY DAIRIES
a New Mexico General Partnership

17-12356-j11

ORDER REGARDING CASH COLLATERAL MOTION

This matter came before the Court on September 19, 2017, docket no. 4 (the “Emergency Motion”). Counsel appeared as noted on the record. In accordance with the ruling of the Court, IT IS HEREBY ORDERED:

1. Motion for Use of Cash Collateral. The Debtor is directed to file a Motion for the Use of Cash Collateral (the “Motion”) by **Tuesday, September 26, 2017 at 5:00 p.m. MDT**. As required by Bankruptcy Rule 4001(b)(1)(A), the Motion must be accompanied by a proposed form of order, attached as an exhibit to the Motion. The Motion should include, as an attachment, a summary of projected revenue and a line item expense budget during the proposed cash collateral period.

2. Service of the Motion and this Order. The Debtor is directed to serve the Motion and this Order on or before September 26, 2017 on any party holding or claiming an interest in cash collateral; the United States Trustee; the official committee of unsecured creditors or, if no such committee has been appointed, to the creditors included on the list prepared under Bankruptcy Rule 1007(d); and on counsel who have entered an appearance in the case. Bankruptcy Rule 4001(b)(1)(C).

3. Objections to the Motion. The deadline to object to the Motion is **Monday, October 9, 2017 at 12:00 p.m. MDT**. The Court shortens the time for objections to the Motion pursuant to Bankruptcy Rule 9006(c)(1) and 4002(d)(2), consistent with this objection deadline.

4. Final Hearing Date and Time. A final evidentiary hearing on the Motion shall be held on **Thursday, October 12, 2017 at 9:00 a.m. MDT** in the Sandia Courtroom, 13th Floor, Dennis Chavez Federal Building and Courthouse, 500 Gold Avenue, SW, Albuquerque, New Mexico. One day has been set aside for the hearing. If no timely objection to the Motion is filed, the Court may enter an order granting the motion without further notice or hearing.

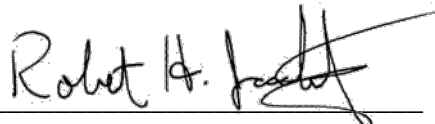
5. Exhibits. No later than **Wednesday, October 11, 2017 at 12:00 p.m. MDT**, the Debtor and each party filing timely objections to the Motion (the Debtor and such parties are called the “Parties”) shall file and serve a list of exhibits, and shall exchange exhibits, except for rebuttal exhibits that cannot reasonably be anticipated. Parties shall provide three copies of the exhibits to Chambers (one for the Court, one for the Court’s law clerk, and one for the witness) prior to commencement of the hearing. Debtor’s exhibits are to be marked with numbers, and objecting party’s exhibits with letters. Objecting parties shall coordinate so they do not duplicate exhibit letters. Each page of any multiple-page exhibit shall be numbered. Exhibits shall be accompanied by a list of the exhibits by number or letter and a brief description or name of each exhibit. If a party intends to proffer more than five exhibits, then the exhibits shall be tabbed and bound in three-ring binders or by some similar binding. The Court generally will exclude exhibits not exchanged as required. The Parties shall be prepared to notify the Court at the beginning of the hearing which exhibits can be admitted into evidence by stipulation.

6. Witnesses. No later than **Wednesday, October 11, 2017 at 12:00 p.m. MDT**, the Parties shall file and serve witness lists of persons the party expects to call to testify at the final hearing, except for rebuttal witness that cannot reasonably be anticipated. The witness lists shall include a designation of the subject matters on which each witness is expected to testify. Failure to timely disclose a witness, or to include an adequate description of the subject matters

of the expected testimony, may result in exclusion of a witness or a limitation on the witness's testimony.

7. Expert Reports. If a party will offer expert testimony, an expert report must be included in the party's list of exhibits. Expert reports shall comply with Fed.R.Bankr.P. 7026(a)(2)(B), which the Court deems applicable pursuant to its authority under Fed.R.Bankr.P. 9014.

8. Disposal of Exhibits. Unless an appeal is pending, 45 days after an order ruling on the Motion becomes final the Court may dispose of all hearing exhibits in its possession that have not been retrieved by the submitting party.

A handwritten signature in black ink, appearing to read "Robert H. Jacobvitz", with a stylized flourish at the end.

The Honorable Robert H. Jacobvitz
United States Bankruptcy Judge

Date entered on docket: September 20, 2017.

(alg)

Copy to:

All counsel of record
via CM/ECF.